

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DEFENSE DISTRIBUTED and SECOND
AMENDMENT FOUNDATION, INC.,

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§

§

Plaintiffs,

§

§

v.

1:18-CV-637-RP

GURBIR GREWAL, in his official capacity
as New Jersey Attorney General,
MICHAEL FEUER, in his official capacity
as Los Angeles City Attorney, et al.,

§

§

§

Defendants.

§

ORDER

Before the Court is Defendant Michael Feuer's request for judicial notice. (Dkt. 77).

Pursuant to Federal Rule of Evidence 201, Defendant Feuer requests that the Court take judicial notice of (1) the preliminary injunction issued by the U.S. District Court for the Western District of Washington on August 27, 2018 in the matter of *State of Washington, et al., v. U.S. Dept. of State, et al.*, Case No. C18-1115RSL; (2) this Court's denial of a motion to intervene on July 27, 2018 in the matter of *Defense Distributed, et al., v. U.S. Dept. of State, et al.*, Case No. 1:15-CV-372-RP; and (3) this Court's order dismissing with prejudice the matter of *Defense Distributed, et al., v. U.S. Dept. of State, et al.*, Case No. 1:15-CV-372-RP, on July 30, 2018. (Dkt. 77, at 1–2). Plaintiffs did not file any briefing in opposition to this request.

Federal Rule of Evidence 201(b) permits courts to take judicial notice of facts that are not subject to "reasonable dispute" because their accuracy "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). Accordingly, courts "may take judicial notice of another court's judicial action" because "the fact that a judicial action was taken is indisputable and is therefore amenable to judicial notice." *Sepulvado v. Jindal*, 739

F.3d 716, 719 n.3 (5th Cir. 2013) (quoting *Gray ex rel. Rudd v. Beverly Enters.-Miss., Inc.*, 390 F.3d 400, 408 n.7 (5th Cir. 2004)). The Court will therefore take notice of these judicial actions identified in Defendant Feuer's request for judicial notice.

Accordingly, it is **ORDERED** that Defendant Feuer's request for judicial notice, (Dkt. 77), is **GRANTED**.

SIGNED on January 3, 2019.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE